



"A Community For All Seasons"

Dexter Township

Planning Commission

6880 Dexter-Pinckney Road
Dexter, MI 48130

Telephone: 734-426-3767

Fax: 734-426-3833

www.twp-dexter.org

Molly Wade
Chair

Kenneth Tappe
Vice-Chair

Mary Adams
Secretary

Vickie Kooyers
Twp. brd. rep.

Thomas Lewis
Bob Nester

Marty Ruhlig
Commissioners

Kimberly Jordan
Recording Secretary

REGULAR MEETING OF THE PLANNING COMMISSION

Tuesday, March 27, 2012

Present: Molly Wade, Chair; Ken Tappe, Vice Chair; Mary Adams, Secretary; Vickie Kooyers, Township Board Representative; Marty Ruhlig and Bob Nester.

Also present: Patrick Sloan, Director of Planning and Zoning & Pat Kelly, Supervisor

Absent: Tom Lewis

The meeting was called to order at 7:03 PM.

I. Approval of Agenda - Motion by Kooyers, supported by Ruhlig, to approve agenda as amended.

Change order of agenda items. Move Item two (2) up to item one (1).

Motion **Carried 6-0.**

II. Approval of the Meeting Minutes - Motion by Tappe, supported by Kooyers, to approve the minutes for February 28, 2012 as amended. **Carried 6-0.**

III. Public Comment – None

IV. Action Items –

- 1) Consider extension of approval for Hanover Glen, Final Site Plan (05-PC-121). Hanover Glen is located on former parcel D-04-27-300-007 on the north side of Island Lake Road between Lima Center Road and Dexter Townhall Road.**

Sloan gave an overview of his March 16, 2012, memo explaining the history for Hanover Glen, Final Site Plan and their request for a two-year extension.

Wade suggested that the commissioners continue with the 12- month extension as previously approved.

A motion was made by Tappe, supported by Nester, to approve Hanover Glen, Final Site Plan for a 1-year extension that will expire on August 31, 2013. Applicant will adhere to the two (2) conditions that originally applied on July 28, 2009.

Motion carried 6-0.

All supporting documents and Sloan's March 16, 2012 memo can be obtained at the Township Hall for review.

2) Public Hearing for Inverness Inn's Special land Use Application (12-PC-141). The Inverness Inn is located on parcels D-04-18-463-023, -029, and -022 on the north side of N. Territorial Road just east of Bramble Brae.

7:20 PM the Planning Commission began consideration of the application.

Sloan gave a brief overview of his March 23, 2012 memo that addressed several questions that were raised at the Planning Commissions last meeting on February 28, 2012. Sloan's March 23, 2012 memo and his previous report dated February 17, 2012 are on file at the Township Hall for review.

Sloan informed everyone that Matt Parks, Township Engineer, was unable to make it tonight due to an immediate personal family matter.

Sloan said that he will update Parks on everything that is discussed this evening. If anyone has any question for Mr. Parks, Sloan will forward those on to Parks so that he is prepared to address them at our next meeting.

Wade welcomed everyone for coming tonight and opened the floor for public comment.

- 1) Charles Taylor, 7560 Lakeshore Drive, Chelsea – Stated he is directly affected by the ongoing drainage issues from Inverness Inn and submitted photos that show erosion and the pathway of the water run-off. He has observed and can attest that the water goes around the detention pond and down Bramble Brae. The drainage basin is not functioning now nor does he think the proposed revision will work either.
- 2) Mary Boomus, 13829 Riker Road, – Stated that the drainage issues at Inverness Inn has been ongoing for twenty years. Maybe a drainage ditch could be constructed. The cost shouldn't be the sole burden of Inverness Inn. It is everyone's issue.

Sloan stated for the record that there were no permits pulled through the Township for the paving of the parking lot. According to aerial photographs, the parking lot was paved some time between 1998-2002.

- 3) Jim Boughton, 13939 Bramble Brae, Gregory – Submitted a letter to the commissioners dated, March 27, 2012, stating concerns of neighboring properties to Inverness Inn. One of the major issues stated in the letter was how the Township was going to enforce the applicants compliance to the site plan and conditions set forth. Noise, lighting and drainage issues to date are not in compliance. Adjacent property owners would like to see enforcement.

Sloan explained that he has written civil infraction tickets for several violations of the Township Ordinances. However, many were deferred while the Township and the applicant work through the amended site plan process. Any approval of a patio addition and/or drainage should be with conditions.

- 4) Doug Houk, 14005 North Territorial Road, Chelsea – Stated that the noise is and has been a real big problem. It is an every weekend occurrence. Problems include foul language coming from the parking lot, outdoor fist fights, and motorcycles revving their engines. He also noted that he has observed people leaving the bar at 5:00 AM intoxicated. They have politely confronted the owners to no avail and the Sheriff's Department has been called out numerous times. However, the issues are still ongoing.
- 5) Bob Frayer, 13720 Rustic Drive, Gregory – Stated that he is a member of the Park Lawn Beach Homeowners Association and represents the road committee for that association. He said that he supports having the Inverness Inn in the area. However, the Association has concerns. They have had the road assessed and they believe the retention pond needs to be directly in front of the building for the water to be captured. He believes the Township is responsible for the drainage issues because of prior approval and that the Inn is not in compliance with burning of trash in the back parking lot, signage, and drainage. He wants to know why the Township isn't addressing these non-conformities.

Sloan said that he has issued Civil Infraction citations for violations of the Zoning Ordinance, including violations for signage and drainage . Sloan also said that he previously informed the owners of Inverness Inn about the restrictions in the Dexter Township Outdoor Burning Ordinance.

- 6) Paul Seelbach, 13815 North Territorial Road, Gregory – Stated that he is a member of the Park Lawn Beach Homeowners Association and represents the road committee for that association. He noted that they are seriously looking at a “total Solution” He stated that the parking lot spills down hill and is one of the major problems.
- 7) Dan Skratek, 14340 North Lake Road, Gregory - Asked if the proposed site plan addressed the southwest corner of the lot.

Sloan will ask the Township Engineer.

- 8) Charlie Taylor – reiterated that the pond does not function as it should.
- 9) Dave Hall, 7019 Glen Circle Drive, Chelsea – Asked who should they contact to complain about noise, lighting, and non-compliance issues.

Sloan replied, the Township Zoning Officer, Bart Hamilton or himself. However, Sloan informed the audience that immediate, after-hours noise complaints should be directed to the Sheriff's Department.

10) Hall stated that he has serious concerns about adding additional outdoor seating. The Township needs to look at this site plan very carefully and consider all the public safety issues.

11) Ray Howe, 13796 Rustic Drive, Gregory – Stated for the record that Inverness Inn per consent agreement has been barred from using North Lake and is no longer a member of the Park Beach Homeowners Association.

12) Scott Robertson, 13753 Bramble Brae, Gregory - Stated that the lighting is an ongoing issue and passed out photos showing two lighting fixture that are not in compliance. Additionally, he quoted from a FOIA obtained from the Washtenaw County Sheriff's Department the numerous noise complaints that have been called into the Sheriff's Department.

13) Susan Feiten, 13864 Bramble Brae, Gregory - Said that the proximity of the bar to the residences creates an apparent safety issue with ingress and egress to the Inn. She said it is disappointing that the Township Engineer could not be here tonight to address the overall drainage assessment that everyone here tonight is concerned with. She noted that the drainage issues are complicated. Wants to know how the Township can enforce compliance of conditions set in place.

Sloan repeated to the audience that the Township Engineer had an immediate personal family matter this evening. The Township Engineer had previously planned on attending tonight's meeting. Sloan also repeated that the questions from tonight's meeting will be relayed to the Township Engineer in advance of next month's Planning Commission meeting on April 24, 2012. Regarding the Township's enforcement of conditions, Sloan stated that his original report (dated March 23, 2012) recommended several conditions of approval to be recorded with the Washtenaw County Register of Deeds. Recording of the conditions will place them in the chain of title.

14) Paul Seelbach – Stated that the solution is not the pond. The solution everyone is looking for is to prevent the water from getting to Bramble Brae.

Sloan and Wade ensured the audience that the Township Engineer has visited the site many times and has submitted reports. Maintenance is a key component to the design of the pond. In fact, one of the Civil Infractions tickets was due to the poor maintenance of the on-site drainage.

15) Charlie Taylor – The pond design has never been appropriate and the proposed design is not appropriate. He is opposed to the site plan.

16) Eric Batzdorfer, 3817 Bramble Brae, Gregory - The topography is not conducive of the design. He asked if there was a deed restriction that permits only residential uses in an association.

17) Scott Robertson – referenced a liber page from the deed noting deed restriction.

18) Rick Monier, 13511 Island Lake, Chelsea - Stated that the Inverness Inn building has been there for over 100 years. Surrounding property owners knew that it was on the corner when they bought in the area and were also aware that there has always been an ongoing drainage issues. He asked that everyone work together to resolve this issue. He believes that the Township is doing a good job of diligently working with the applicant and addressing the concerns of the surrounding property owners.

19) Catherine Riester, 7960 Grand River, Brighton – Legal representative for Inverness Inn. She stated that the Inverness Inn building has been there a long time and that court cases in

the 1970s litigated many of the issues at hand. She stated that the owners have rights and are trying to work with their surrounding neighbors and the Park Lawn Beach Association to resolve the drainage issues. They have come up with a plan, and hired representation and engineers to do the right thing. They have incurred many costs in the past two years and are working hard to come to some resolve. For the record, they are not responsible for all the water running onto their property. They want to improve the property and put in an outdoor patio, and adequately resolve and address the drainage issues. Their engineers and the Township Engineers have met numerous times and are working with the Township to come to some resolve of the concerns of the neighboring properties.

20) Susan Feiten – Asked that her original question be responded to from earlier. What is the process for seating conformity?

Sloan said this is difficult to police on a regular basis. However, if we were to get a complaint we would look into the matter and issue a violation notice if warranted.

Wade suggests that we get a third party involved with regard to the drainage issues. Possibly the Washtenaw County Water Resources Commissioner. She does not know if there would be a fee involved or not.

Sloan will contact Washtenaw County and see if they will review the site plans and attend a meeting to discuss the drainage issues.

21) Bob Frayer – Stated that when someone stamps and seals a document that means they are accountable. The previous engineers that designed the current storm water detention pond should be accountable.

22) Paul Seelbach- said he would be happy to come and meet with both engineers.

Pat Kelly, Township Supervisor, said that the Township is well aware of the ongoing water issues. There is a disconnect between the residents' expectations and what the pond is designed to do and accomplish. It is a complex comprehensive solution altogether. Complex issues need complex solutions. Inverness can not take care of the drainage problem all by themselves.

23) Ray Howe- Read into the record a letter to the Planning Commission dated, March 22, 2012, the letter was an outline draft of the concerns and views of the Park Lawn Beach Homeowners Association. This letter was submitted into the record and is on file at Dexter Township Hall.

24) Trish Rusiecki – 11859 Erikson, Pinckney- Said that she is a frequent customer of the Inverness Inn and thinks the noise complaints are blown out of portion. She stated that she can be seated in the adjacent dining room and have a normal conversation when the band is playing.

25) Dave Hall- Stated that he has lived at his present address for 49 ½ years and reiterates the ongoing noise, lighting, and traffic issues.

26) Scott Robertson – Stated that a consent judgment in 2010 resolved some of the ongoing issues.

27) Charlie Taylor- Appreciates the dialog he is hearing from the commissioners tonight. However, Inverness is bigger than it was 30 or 40 years ago.

28) Penny Dec, 4327 Cornwell Lane, Whitmore Lake – Countered that the paved parking lot was there when they purchased the property in 2008, and that no expansions have been made to the building.

29) Catherine Riesterer – Stated that the applicant has no binding agreement to take on all the water from North Territorial Road. Easement issues might have to be re-addressed at some point. The applicant is aware of that.

30) Brent LaVanway, Boss Engineering- representative for the applicant. He gave an overview of the proposed plans. Questions from the public were taken and addressed.

31) Rick Monier- reiterates the importance of working together to come to some resolve.

32) Gordan King, 9800 Toma Road, Pinckney - Asked if the Park Lawn Association wouldn't be responsible for some of the burden of the applicants' expenses.

33) Ray Howe – replied that the applicant sued the association for adverse possession and is no longer a member.

Commissioners discussed the idea of setting up a special meeting with the road committee members of the Park Lawn Beach Homeowners Association, the applicant's engineer, the Township Engineer and with the Planning Commission to discuss further the proposed site plan and in particular the functioning and maintenance of the detention pond.

Commissioners agreed to meet at the Planning Commission next regular schedule meeting slated for April 24, 2012.

Wade closed the Public Hearing at 9:50 PM.

All supporting documents, letters submitted and proposed site plans are on file at the Township Hall during normal business hours for public review.

V. Township Board Update –

At the March 18th Special Board Meeting:

A special meeting was called to get status updates from various departments and organizations on the tornado recovery efforts. Represented entities included the Washtenaw County Sheriff's Department, the Dexter Area Fire Department (DAFD), the Washtenaw County Road Commission, Dexter Community Schools, Dexter Village, DTE Energy, and 52nd District State Representative Mark Ouimet.

The Board took action to waive the Township Fees for Zoning Permits for repair of damages

caused by the tornado and took action to set up a fund for up to \$200,000.00 to assist residents with clean-up of tornado damaged trees and shrubs brought from their property to the road right-of-way.

At the re-scheduled Regular Board Meeting on March 22nd:

Public Safety Advisory Committee (PSAC) Chair Dominic Treglia and Member Brent Courson spoke regarding the recent tornado response and informed the Board that DAFD Station #2 located at the Multi-Lakes Water and Sewer Authority property was invaluable in the response down Dexter-Pinckney Road south of N. Territorial Rd. One of the issues that township residents expressed concern to them about was the lack of early warning sirens. The Public Safety Advisory Committee will be adding information from the tornado response to its report to the Township Board on data collected regarding the operations to date on Station #2, including a plan for covering the township with early warning sirens.

Supervisor Kelly shared a sample letter that could be edited to send information regarding the new Flood Insurance Rate Maps to those property owners with buildings now in the floodplain. The Board authorized her to work with Director of Planning & Zoning Sloan to create a final draft and send it to those property owners.

VI. Concerns of Commission Members, Director of Planning and Zoning, Supervisor, and Recording Secretary-

Sloan asked that the review of Village of Dexter Master Plan be put on the April 24th agenda for the commission's review.

Sloan informed the commissioners that the Township Board approved sending out notices to property owners that have buildings in the floodplains. Sloan stated that there are about 120 affected property owners.

VII. Public Comment – None

VIII. Future Agenda Items –

Tuesday, April 24, 2012

- 1) Review Village of Dexter Master Plan
- 2) Inverness Inn's Special Land Use Application

IX. Adjournment – Wade declared meeting adjourned at 10:10 PM

Respectfully submitted,

Kimberly Jordan, Recording Secretary

Mary Adams, Secretary